

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PAMELA DAWN PLANK	:	
	:	
Plaintiff,	:	
v.	:	Civ. No. 12-4144
	:	
CAROLYN W. COLVIN	:	
Acting Commissioner of the Social	:	
Security Administration,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 6th day of December, 2013, upon consideration of the Report and Recommendation of Chief Magistrate Judge Carol Sandra Moore Wells (Doc. No. 14) , to which no objections have been filed, it is hereby **ORDERED** as follows:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Plaintiff's Request for Review is **GRANTED** in part and **DENIED** in part;
3. The matter is **REMANDED** to the Commissioner of the Social Security Administration to allow the Administrative Law Judge to conduct additional proceedings consistent with the Report and Recommendation. On remand, the ALJ shall:
 - a. re-assess Dr. Carey's July 28, 2009 opinion to determine whether Plaintiff meets Listing 12.05(C);
 - b. consider Dr. Rudnick's opinion regarding Plaintiff's functional limitations;
 - c. re-assess Plaintiff's credibility;
 - d. reconsider Plaintiff's residual functional capacity; and

- e. pose hypothetical questions to the vocational expert which take into account all of Plaintiff's credible limitations, including her borderline intellectual functioning, memory impairment, limitations in social functioning, concentration, persistence, or pace, hand numbness, pain, and propensity to drop objects.

AND IT IS SO ORDERED.

/s/ Paul S. Diamond

Paul S. Diamond, J.